

FORM PTO-1390  
(REV. 120-2004)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

**24945-0028US**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/564,184**

INTERNATIONAL APPLICATION NO.

**PCT/EP2004/006337**

INTERNATIONAL FILING DATE

**11 June 2004 (11.06.2004)**

PRIORITY DATE CLAIMED

**11 July 2003 (11.07.2003)**

TITLE OF INVENTION

**BENZIMIDAZOLE CARBOXAMIDES AS RAF KINASE INHIBITORS**

APPLICANT(S) FOR DO/EO/US

**Hans-Peter BUCHSTALLER, Matthias WIESNER, Frank ZENKE,  
Christiane AMENDT, Matthias GRELL, Christian SIRRENBURG**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ had been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: International Search Report

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7) <b>10/564,18</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP04/006337</b>		ATTORNEY'S DOCKET NUMBER <b>24945-0028US</b>	
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21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee .....\$200.00 <input type="checkbox"/> c) Search fee..... \$400.00  <div style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>   <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; height: 40px;"></td> <td style="width:50%;"></td> </tr> </table>			
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.							
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE				
-100 =	/50 =		x \$250.00	\$			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	- 20 =		x \$50.00	\$			
Independent claims	- 3 =		x \$200.00	\$			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$360.00			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
<b>SUBTOTAL =</b>				\$			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				+			
<b>TOTAL NATIONAL FEE =</b>				\$			
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+			
<b>TOTAL FEES ENCLOSED =</b>				\$ 0 fees due			
				Amount to be refunded:	\$		
				Amount to be charged:	\$		

  

a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment  
To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**HELLER EHRMAN LLP**  
 1717 Rhode Island Avenue, N.W.  
 Washington, DC 20036  
 Customer No. : 26633

SIGNATURE  
  
 NAME  
 Patricia D. Granados  
 REGISTRATION NUMBER  
 33,683

Date  
 4/24/06